
10 THINGS ABOUT: TERMINATION

- 1.** The psychiatrist-patient relationship is contractual in nature and once relationship has been established, the psychiatrist has an ethical and legal obligation to continue treating the patient until the relationship has been properly terminated. – MS 5.2.19
- 2.** The treatment relationship may be terminated upon mutual agreement, by the patient, or by the psychiatrist provided appropriate notice has been given to the patient before doing so. It is not considered abandonment for a psychiatrist to terminate the treatment relationship so long as sufficient notice is given in advance of the actual termination. – MS 5.2.19
- 3.** There are many valid reasons for a psychiatrist to terminate treatment. You may determine the patient needs a higher level of care or would benefit from someone who specializes in treating their specific disorder. It is also acceptable to terminate a treatment relationship with patients who are non-adherent to your recommendations, are overly demanding of your time and that of your staff, do not pay your fees, or have breached your trust. – MS 5.2.19
- 4.** Ideally, the termination process will begin with an in-person discussion of the need to end the treatment relationship. If that is not possible, the discussion may also take place over the phone. Unless it is completely unavoidable (as in those situations where a patient won't come for appointments or return your calls) a patient's first notification of the termination should not be the termination letter. – MS 4.16.20
- 5.** The length of the notice may depend upon the patient's condition and available psychiatric resources in the community. Usually, thirty days' notice is considered adequate, however, individual state licensing boards or managed care contracts may regulate a different notice period. In areas where it may be difficult to find another psychiatrist, it may be appropriate to give longer notice. The psychiatrist should always provide the patient with a specific termination date after which the psychiatrist will no longer be available. – MS 4.16.20
- 6.** It is important to give explicit treatment recommendations to the patient and to educate him/her about the need for continued psychiatric care and the potential risks of not obtaining recommended treatment. This should also include detailed instructions regarding medications. Include the name and dosage for each medication as well as any other important information for example, the danger of stopping medication abruptly. – MS 4.16.20

7. When terminating the treatment relationship, you must provide the patient with suggestions for finding continued care. This does not mean that you need to provide specific names of psychiatrists. Suggesting that the patient look to his PCP, his insurance panel, a referral service, or a local clinic are all acceptable.
8. A letter should be sent to the patient memorializing your discussion. The letter should also include instructions for how to obtain records for their new psychiatrist.
9. Make certain that your record reflects your decision-making process and discussions with the patient surrounding the termination process. Should a medical malpractice claim or lawsuit alleging abandonment of the patient occur, the contemporaneous record will support the assertion that the patient was treated fairly and professionally.
10. During the 30-day period, you will need to be available to patients in an emergency. This will include refilling prescriptions through the end of that period. Avoid writing prescriptions that will last beyond the date of termination.

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